IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1952 OF 2005

IN

WRIT PETITION NO. 168 OF 1992

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Ms.Prabhu for the Applicants.

Ms.Kadam for the Respondents.

CORAM : H.L. GOKHALE &
MRS. R.S. DALVI, JJ.

DATE : 26TH JULY 2005

P.C. :

1. Heard Ms.Prabhu for the Applicants. Ms.Kadam appears for the original Respondents.

2. Civil Application seeks restoration of the petition which was dismissed for not removing the objection. The objection was that the heirs of Respondent No.2 were not brought on record and two weeks' time was granted. Since the heirs were not brought on record, the petition was dismissed on 2nd September 2004.

3. We grant this Civil Application for restoration. This is because although Mr.Bandiwadekar was the advocate on record for the Petitioners, the name of Mr.Deshmukh was shown as appearing for the Petitioners. Ms.Prabhu states that Mr.Bandiwadekar did not know that the matter was notified and his name was not shown on the board. For this reason, the Civil Application is allowed. The Applicants are permitted to bring the heirs of Respondent No.2 on record which amendment will be carried out within one week.

4. Writ Petition No.168 of 1992 has already been admitted way back on 21st January 1992. It will be listed for final hearing before the appropriate court.

(H.L. GOKHALE, J.)

(MRS. R.S. DALVI, J.)